



W.P.(MD) No.9258 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.9258 of 2023
and
W.M.P.(MD) No.8327 of 2023**

S.Jayanthi

... Petitioner

-VS-

- 1.The Commissioner
Trichy Corporation
Trichy
- 2.The Member Secretary
Town and Country Planning Authority
Trichy
- 3.The Secretary
Finance and Administration)
Tamilnadu Real Estate
Regulatory Authority
Egmore, Chennai
- 4.The District Collector
Office of the District Collector
Trichy



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5.The District Registrar
Trichy District, Trichy

6.The Sub Registrar
K.Sathanoor Sub Registration Office
Trichy

7.V.R.Subramanian

8.V.R.Narayanan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the 2nd respondent to take necessary action in the light of communication issued in Na Ka No.1345/2013 Thi Vu. Thi ku 3 dated 20.08.2013 and also in the light of proceedings issued by the 2nd respondent vide Na Ka No.1661/2019 Thi Vu. Thi ku 2 dated 15.10.2019 and thereby to direct the 5th respondent to cancel the registration of documents pertaining unapproved plots without regularisation order from the 2nd respondent in connection with survey in T.S.No.136/1, (new Ward) A.F.Block No.14, T.S.No.145/1 and 145/2 under the name and style of “Narayanapuram” Kottapattu village, Ponmalai Division, Tiruchhirapalli Corporation on the basis the petitioner representation dated 13.03.2023 within the time stipulated by this Court.



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For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.R.Baskaran
for M/s.R.B.Law Associates for R1 & R2
Mr.P.Thilakkumar
Government Pleader for R4 to R6

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Mr.R.Baskaran, learned counsel, representing M/s.R.B.Law Associates, takes notice for the respondents 1 & 2 and Mr.P.Thilakkumar, learned Government Pleader, takes notice for the respondents 4 to 6.

2. Considering the limited grievance of the petitioner, the writ petition is disposed of at the admission stage itself and since we are not passing orders on the merits of the case, notice to the respondents 3, 7 & 8 is deemed unnecessary.

3. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.



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4. Prayer in this writ petition reads as follows:

“For the reasons stated in the accompanying affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a writ, order or direction, more particularly in the nature of a WRIT OF MANDAMUS directing the 2nd respondent to take necessary action in the light of communication issued in Na Ka No.1345/2013 Thi Vu. Thi ku 3 dated 20.08.2013 and also in the light of proceedings issued by the 2nd respondent vide Na Ka No.1661/2019 Thi Vu. Thi ku 2 dated 15.10.2019 and thereby to direct the 5th respondent to cancel the registration of documents pertaining unapproved plots without regularisation order from the 2nd respondent in connection with survey in T.S.No.136/1, (new Ward) A.F.Block No.14, T.S.No.145/1 and 145/2 under the name and style of “Narayanapuram” Kottapattu village, Ponmalai Division, Tiruchhirapalli Corporation on the basis the petitioner representation dated 13.03.2023 within the time stipulated by this Hon'ble Court and pass such other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.”

5. It is seen from the communication dated 17.06.2021 made by the District Registrar that the petitioner has been assured that action would be taken against the Sub Registrars, who are responsible for registration of documents in unapproved layouts.



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6. Learned Government Pleader appearing for the respondents 4 to 6 would also add that many of the plots have been sold prior to the cut off date.

7. In the light of the said submission, we do not deem it fit to issue a direction as sought for by the petitioner. However, considering the nature of the allegations made and the fact that the District Registrar himself has admitted that transactions have happened in unapproved layouts, the Authorities will take appropriate action in accordance with law to remedy the situation.

8. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

20.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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Office of the District Collector,
Trichy.
- 2.The District Registrar,
Trichy District, Trichy.
- 3.The Sub Registrar,
K.Sathanoor Sub Registration Office,
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